

**MINUTES OF THE REGULAR MEETING OF THE LA CAÑADA FLINTRIDGE
CITY COUNCIL HELD ON TUESDAY, JANUARY 20, 2004
IN THE CITY COUNCIL CHAMBERS AT 1327 FOOTHILL BLVD.,
LA CAÑADA FLINTRIDGE, CALIFORNIA**

1. Call to Order

Mayor Del Guercio called the meeting to order at 7:12 p.m.

2. Roll Call

Councilmembers present were Gregory Brown, Anthony Portantino, David Spence, Laura Olhasso and Stephen Del Guercio.

Staff members present were City Manager Alexander; City Attorney Steres; Director of Public Works Castellanos; Director of Community Development Stanley; City Engineer Kwan; City Treasurer Voss; Senior Management Analyst Goytia Strauss; Planner Shimazu; and City Clerk Wahlsten.

3. Pledge of Allegiance

The Pledge of Allegiance was led by Sheriffs Captain Ralph Martin.

4. Public Comments

The following persons were present wishing to speak under this item:

Melissa Rohan, 2074 Hilldale, stated her appeal regarding a tree removal was continued to a date uncertain at the regular City Council meeting of November 18, 2003 and stated she had not been contacted by staff regarding the further inspections the Council asked for. She stated she needs to get this issue resolved. Director of Community Development Stanley stated it has been difficult to find the necessary engineers to do the work, but they are continuing to work on this. Mayor Del Guercio requested that this appeal be brought back for Council consideration on February 17, 2003.

James Lyon, 5233 Haskell St. Ms. Rohan's father, protested the length of time this has taken and questioned the constitutionality of the law involved in this appeal.

Elisabeth Powell, 4300 Oakwood, stated she is concerned about the small percentage of residents that will be shielded from freeway noise by soundwalls and questioned the cost benefit ratio.

Presentations

7. Public Safety Update – Fire Department

Battalion Chief Copeland presented the Department statistics for December, 2003. Chief Gil gave an update on the La Cañada Flintridge burn project. The last day is February 13, 2004. They are continuing to cut and stack, and burn brush acreage.

8. Public Safety Update – Sheriff's Department

Captain Martin presented the Department statistics for December 2003. He noted La Cañada Flintridge had a decrease in Part 1 crimes of 40 to 50% this year. They are still confirming the numbers. Burglaries, in particular, have decreased.

9. City Treasurer's Report

City Treasurer Don Voss presented the report for the period ending December 31, 2003. He noted that the City's reserves continue to be adequate to meet anticipated requirements.

Reordering of and Additions to the Agenda

City Manager Alexander stated that staff is pulling Item 16 from the Consent Calendar and will bring it back at a future meeting.

Consent Calendar

10. Approval of Minutes of the City Council – 2002:
 - October 21, 2002 Special Meeting
 - October 21, 2002 Joint Special Meeting
 - October 21, 2002 Regular Meeting
 - November 4, 2002 Regular Meeting
11. Approval of Minutes of the City Council – 2003:
 - December 15, 2003 Regular Meeting
12. Receive and file Commission Agendas:
 - Youth Council Meeting of December 11, 2003
 - Public Works & Traffic Commission Meeting of December 17, 2003
 - Public Safety Commission Meeting of December 17, 2003
 - Design Commission Action Agenda from December 18, 2003 Meeting
 - Parks & Recreation Agenda from January 12, 2004 Meeting
 - Planning Commission Action Agenda from January 13, 2004 Meeting
 - Parks & Recreation Agenda from January 12, 2004 Meeting
13. Approval of Warrant Resolution No. 04-01
14. Acceptance of Investment Report for period ending December 31, 2003.

15. Resolution No. 04-____ - Amending the Existing Conflict of Code to add certain Commissions and Rescinding Resolution No. 02-55.
16. Approve action by Public Works & Traffic Commission to issue a Public Right-of-Way Temporary Encroachment Permit for replacement of previously existing 42-inch tall picket fence, extending 6-feet into the public right-of-way, at 4332 Shepherds Lane.
17. Resolution No. 04-01, entitled, "A Resolution of the City Council of the City of La Cañada Flintridge Approving the Purchase of and Authorizing the City Manager to Execute Chapter 8 Agreement Number 2332 with the County of Los Angeles Relating to Tax-Default Property (APN 5816-024-008) to facilitate construction of sewers on Hook Tree Road."
18. Rejection of claim for damages filed by Southern California Edison Company.
19. Rejection of claim for damages filed by Progressive Insurance on behalf of Kronfli Spundale Mills.

Councilmember Portantino pulled Item 11 and 17 for discussion. On Item 11, he questioned Mr. Snoble's comments regarding trucks on the I-210. Other Councilmembers felt the minutes accurately reflected his comments and the City Clerk was requested to listen to the tape and change the minutes, if necessary.

Councilmember Brown and Mayor Pro Tem Olhasso stated they will abstain on Item 10 since they were not on the City Council in 2002. Mayor Del Guercio stated he will recuse himself from Item 17 because his law firm does legal work for the County of Los Angeles.

Motion by Councilmember Spence, seconded by Mayor Pro Tem Olhasso to approve the Consent Calendar with the exception of Item 15 which was pulled by staff and Item 16 which was pulled by Councilmember Portantino. Motion carried unanimously. with the abstentions as noted above...

Councilmember Portantino asked why the City Council is being asked to give the final decision on these temporary encroachment permits. Following discussion, Council concurred to request staff to prepare a policy that would give the Public Works & Traffic Commission authority to make these decisions.

Michael Siefert, 4332 Shepherds Lane, asked the City Council if they would take action on his item tonight. Mayor Del Guercio clarified that this would be acted upon; City Council is requesting a policy for future applications. Motion by Councilmember Brown, seconded by Councilmember Spence to approve action by Public Works & Traffic Commission to issue a Public Right-of-Way Temporary Encroachment Permit for replacement of previously existing 42-inch tall picket fence, extending 6-feet into the public right-of-way, at 4332 Shepherds Lane. Motion carried unanimously.

Public Hearings

20. Fiscal Year 2004-05 Community Development Block Grant Program Funding

Staff report by Director of Community Development Stanley. Approximately \$120,000 will be available from CDBG funds beginning July 1, 2004. In addition unallocated funds totaling \$95,629 are also available. Staff recommends the funds be allocated for the Handy Worker Assistance Program, sewer connection subsidies, and administration costs. Director Stanley gave details of the programs and Council asked what type of publicity is done to promote the programs. Mayor Pro Tem Olhasso suggested the local hospitals be given information about the Handy Worker Assistance Program and that the newspapers write a story about the two programs.

Mayor Del Guercio opened the public hearing. There was no one present wishing to speak.

Mayor Del Guercio suggested staff look at allocating funds to make the restrooms that will be built in Freeway Park ADA compliant. Director Stanley stated that these funds can be re-allocated in the future if the City Council so determines.

Motion by Councilmember Brown, seconded by Councilmember Spence to adopt Resolution No. 04-02, entitled, "A Resolution of the City Council of the City of La Cañada Flintridge Approving Community Development Block Grant Programs for Federal Fiscal Year 2004-2005." Motion carried unanimously.

Ordinances

21. Ordinance No. 346 - First Reading – Amending the Municipal Code for the Imposition of a Fee for National Pollutant Discharge Elimination System (NPDES) Inspections, (Originally introduced on December 15, 2003. Revised by staff and presented for re-introduction.)

Staff report by Director of Public Works Castellanos. Under the NPDES permit, two inspections during a five year period are required for restaurants. The County Health Department is willing to do them for the City for a fee of \$50.00 per restaurant. Council has approved a change to the contract with the Health Department to permit this work, and adopted a \$50.00 fee on December 15, 2003. Staff made a minor change to the Ordinance following the first reading on December 15, 2003 and is bringing it to Council at this meeting for re-introduction.

City Attorney Steres read the title of Ordinance No. 346, "An Ordinance of the City Council of the City of La Cañada Flintridge Amending the Municipal Code for the Imposition of a Fee for National Pollution Discharge Elimination System (NPDES) Inspections." Motion by Mayor Pro Tem Olhasso, seconded by Councilmember Spence to waive further reading and introduce. Motion carried unanimously on a roll call vote.

22. Ordinance No. 348 - First Reading – Setting Speed Limits for Chevy Chase Drive and Oak Grove Drive as recommended by the Public Works & Traffic Commission.

Staff report by Director of Public Works Castellanos. On November 19, 2003, the Public Works & Traffic Commission reviewed engineering and traffic studies for various street segments. They are recommending reductions in speed limits as follows: Chevy Chase Drive between Foothill Blvd. and Descanso Drive from 35 mph to 30 mph; Oak Grove Drive between JPL entrance and Berkshire Place from 40 mph to 35 mph.

Mayor Pro Tem Olhasso asked why parking is allowed only on one side of the street on Chevy Chase Drive. Councilmember Brown stated he had asked by Chevy Chase is treated differently than Commonwealth and Oakwood. Director Castellanos stated he will look at the width of these streets.

City Attorney Steres read the title of Ordinance No. 348, “An Ordinance of the City Council of the City of La Cañada Flintridge repealing Ordinance No. 310 and amending the La Cañada Flintridge Municipal Code adopting Prima Facie Speed Limits for Certain Streets.”

Motion by Councilmember Portantino, seconded by Councilmember Brown to waive further reading and introduce Ordinance No. 348. Motion carried unanimously on a roll call vote.

Concluding Business

21 Councilmembers’ Reports regarding regional and local representation

Councilmember Portantino, Councilmember Portantino and Mayor Del Guercio reported on the Contract Cities Legislative Days held in Sacramento last week. Councilmember Portantino noted that our Assemblymember, Carol Liu, has joined a bi-partisan coalition. In response to query by Mayor Del Guercio, City Manager Alexander stated that the Governor’s proposal to shift \$1.3 million from local government includes an estimated \$22,500 from La Cañada Flintridge according to the League of California Cities’ consultant. This is in addition to the ERAF shift estimated to be \$101,000 this fiscal year. This makes the total shift of \$123,000 estimated for next year. Also, Los Angeles County’s reduction can affect La Cañada Flintridge in the areas of trails maintenance, Sheriff’s Department, library services, public works, and health department, Fire Department. He also pointed out that this is a proposal and subject to many negotiations before it is final.

Councilmember Spence reported on several meetings he has attended, including the San Gabriel Valley Council of Governments.

Mayor Pro Tem Olhasso stated she and Councilmember Brown had represented the City Council at the Chamber of Commerce installation dinner. She stated the SCAG Growth

Visioning meeting on Tuesday, February 10 in Glendale and asked the Councilmembers to attend.

Mayor Del Guercio stated the Arroyo Verdugo Steering Committee has been considering the regional transportation plan that is in draft form. As a city we have submitted comments and one of the main ones follows up on the presentation made at the December 15, 2003 City Council meeting. The analysis that was done regarding impacts is so outdated that it would be improper to go ahead without a new EIR. The Federal Government has issued a letter agreeing that the studies are inadequate. No public comments have been taken since the 1980s and the diesel standards have been promulgated since that time. The Federal Government has rejected the claims made by MTA and SCAG at the December 15, 2003 meeting.

22. Councilmembers' request for future agenda items

Councilmember Portantino requested a Resolution for the next agenda to support the La Cañada Unified School District's bond measure and parcel tax. Council concurred.

23. Councilmembers' comments

Mayor Del Guercio congratulated the Tournament of Roses Association for their winning entry in the 2004 Rose Parade. They will be at the February 2, 2004 meeting to receive a proclamation.

Mayor Pro Tem Olhasso asked the status of Freeway Park. City Manager Alexander stated the plans and specs are being finalized.

Councilmember Portantino noted that staff met the January 15, 2004 deadline to submit the application for funding for Rockridge Terrace Park and Conservation area from the State Parks Department.

24. City Manager and/or staff comments

None.

Adjournment

Mayor Del Guercio adjourned the meeting at 9:03 p.m. in memory of George Parrish, La Cañada Flintridge's first Mayor, who died recently. Councilmember Spence shared some of his memories of Mayor Parrish and his emphasis on building monetary reserves for the City.

Marjorie K. Wahlsten, CMC, City Clerk

Minutes approved by the City Council on February 2, 2004